

REMARKS

A. Objections to Claims

In the Office Action mailed on October 13, 2004, claims 2, 9 and 11 were objected to for various informalities. In particular, claims 2 and 9 were objected to because the phrase “effected by a bucket chain principle” was unclear in meaning. Applicant traverses this objection for several reasons. First, claim 2 has been canceled rendering its objection moot. Regarding claim 9, the phrase in question is a commonly used expression well known to one of ordinary skill in the art. It describes the manner of how information is transferred in a linear bus topology which includes serially arranged bus participants with a master bus at one end of the bus line. As an example, information is transferred stepwise from the farthest bus participant by sending the information to the second farthest bus participant, then to the third farthest and so on until it reaches the master bus participant. Accordingly, the recited bucket chain principle describes a step-wise handing over of information from bus participant to the next bus participant in serial bus topologies until the information reaches the end of the bus line. Since the phrase is well known to one of ordinary skill in the art, the objection is improper and should be withdrawn.

Claim 11 was objected to because the phrase “buffer storage of said position data is effected in buffer memories of said plurality of position measuring instruments” was unclear meaning. Applicant traverses the objection in that the phrase would have been clear in meaning to one of ordinary skill in the art. Despite the impropriety of the objection, the phrase has been amended so that the term “buffer storage” reads as “storage.” Since the meaning of storing position data is understood by one of ordinary skill in the art, the objection has been overcome and should be withdrawn.

Since the amendment made to claim 11 is solely being made to clarify the claim and does not change the intended meaning or scope of the claim, the amendment is not related to patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (*en banc*), *overruled in part*, 535 U.S. 722 (2002).

Since claim 14 has been amended so as to delete “buffer” in a manner similar to that with respect to claim 11, its amendment is also not related to patentability as defined in *Festo*.

B. 35 U.S.C. § 102(b)

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Thorsander et al. In view of the cancellation of claim 1, the rejection has been rendered moot and should be withdrawn.

C. Claims 3-15

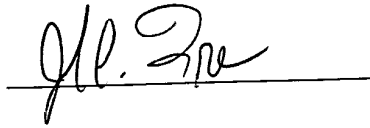
Applicant notes with appreciation that claims 3-15 have been allowed.

CONCLUSION

In view of the arguments above, Applicant respectfully submits that all of the pending claims 3-15 are in condition for allowance and seeks an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that

an interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorneys at (312) 321-4200.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "J.C. Freeman", is written over a horizontal line.

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